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November 5, 2008

## VIA ELECTRONIC DELIVERY

Ms Anne K Quinlan  
Acting Secretary  
Surface Transportation Board  
395 "E" Street S W  
Washington, DC 20423-0001

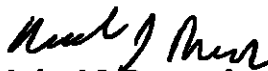
Re **Docket No. AB-491 (Sub-No. 2X)**  
**R.J. Corman Railroad Company/Pennsylvania Lines, Inc.—Abandonment**  
**Exemption—In Clearfield, Jefferson and Indiana Counties, Pennsylvania**

Dear Secretary Quinlan

Enclosed for filing in the above-captioned proceeding is the Reply of R J Corman Railroad Company/Pennsylvania Lines Inc., dated November 5, 2008, to the Petition to Toll Thirty Day Period for Submitting Offer Pursuant to Section 1152.27(c)(2)(ii)(C) by P&N Coal Company, Inc.

Feel free to contact me if you have any questions. Thank you for your assistance in this matter.

Very truly yours,

  
Michael J Barron, Jr  
Attorney for  
R J. Corman Railroad Company/  
Pennsylvania Lines, Inc

MJB arw  
Enclosures  
cc Mr Jeffrey Lundy

BEFORE THE  
SURFACE TRANSPORTATION BOARD

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DOCKET NO AB-491 (SUB-NO 2X)

R J CORMAN RAILROAD COMPANY/PENNSYLVANIA LINES, INC  
-- ABANDONMENT EXEMPTION --  
IN CLEARFIELD, JEFFERSON AND INDIANA COUNTIES, PENNSYLVANIA

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**REPLY OF R.J. CORMAN RAILROAD COMPANY/PENNSYLVANIA LINES, INC.  
TO PETITION TO TOLL THIRTY DAY PERIOD FOR SUBMITTING  
OFFER PURSUANT TO SECTION 1152.27(c)(2)(ii)(C)**

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**ATTORNEY FOR R.J. CORMAN RAILROAD  
COMPANY/PENNSYLVANIA LINES, INC.**

Dated November 5, 2008

BEFORE THE  
SURFACE TRANSPORTATION BOARD

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DOCKET NO. AB-491 (SUB-NO 2X)

R J CORMAN RAILROAD COMPANY/PENNSYLVANIA LINES, INC  
-- ABANDONMENT EXEMPTION --  
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**REPLY OF R.J. CORMAN RAILROAD COMPANY/PENNSYLVANIA LINES, INC.  
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**INTRODUCTION**

R J Corman Railroad Company/Pennsylvania Lines, Inc ("RJCP") would like to take this opportunity to reply to P&N Coal Company, Inc 's ("P&N") Petition to Toll the Thirty Day Period for Submitting an Offer of Financial Assistance ("Petition to Toll")

**THE PETITION TO TOLL SHOULD BE DENIED AS UNTIMELY**

The Surface Transportation Board should reject the Petition to Toll because it was not timely filed P&N indicates the Petition to Toll was filed pursuant to 49 C F R § 1152.27 (c)(2)(ii)(C) That rule indicates that petitions to toll must be filed with the Board within twenty-five (25) days after the filing of the notice of exemption for abandonment This rule also states that this petition must be filed on or before the actual due date under 49 C F R § 1152.25(d)(4) That rule indicates that pleadings of this kind must be filed on or before their statutory or regulatory due date regardless of whether that date is a Saturday, Sunday or legal holiday in the District of Columbia The Federal Register notice alerting the public to this proceeding was published on October 7, 2008 Petitions to toll the OFA process were due November 1, 2008 November 1, 2008, fell on a Saturday In accordance with the rule found at 49 C F R. §

1152 25(d)(4), the request to toll the thirty day period for submitting an offer of financial assistance was due Friday, October 31, 2008 P&N's Petition to Toll was not filed until Monday, November 3, 2008 Therefore, the Board should reject this Petition to Toll because it was not timely filed


**THE PETITION TO TOLL SHOULD BE DENIED AS RJCP HAS PROVIDED ALL NECESSARY INFORMATION SO AS TO ALLOW P&N TO FILE AN OFA**

RJCP has provided its proposed purchase price and annual subsidy for P&N to consider as it formulates its OFA RJCP has provided data with regard to track valuation and right-of-way valuation It has provided all the information on which it has based its purchase price, annual subsidy amount and net liquidation value. There is no more relevant information RJCP has to provide and therefore tolling the OFA process serves no purpose

**CONCLUSION**

RJCP respectfully requests that the Board to deny P&N's request for a tolling of the applicable deadlines in the OFA process

Respectfully submitted,

By.   
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(312) 540-0500

**ATTORNEY FOR R.J. CORMAN RAILROAD  
COMPANY/PENNSYLVANIA LINES, INC.**

Dated November 5, 2008

**CERTIFICATE OF SERVICE**

I, Michael J Barron, Jr , an attorney, certify that a true copy of the foregoing instrument was served upon the address listed below by email and by mailing a true and correct copy via first-class mail, postage pre-paid and depositing the same in the United States Mail, Chicago, Illinois the 5<sup>th</sup> day of November, 2008

  
\_\_\_\_\_  
Michael J Barron, Jr

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